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SERGIO ENRIQUE FERREY-GOMEZ

FILED

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,) CR 05-00722-JF
Plaintiff,) EX PARTE APPLICATION FOR MODIFICATION
vs.) OF INTERNATIONAL TRAVEL ORDER
Sergio Enrique Ferrey-Gomez,)
Defendant.)

17 The Court previously entered an order allowing defendant SERGIO ENRIQUE FERREY-
18 GOMEZ permitting him to leave the United States to attend to his family business operations in
19 Nicaragua. Mr. Ferrey-Gomez is charged in a one-count indictment with making a false statement to
20 the Drug Enforcement Administration in violation of Title 18 U.S.C. section 1001(a)(2). Mr. Ferrey-
21 Gomez is a United States citizen and his release is secured by a \$100,000 property bond. Shortly after
22 his arrest, the Court permitted Mr. Ferrey-Gomez to fly to Los Angeles to embark on a pre-planned,
23 week-long international cruise. Since his return, Mr. Ferrey-Gomez has diligently complied with all pre-
24 trial conditions of release.

25 Mr. Ferrey-Gomez has owned and operated La Rubia Coffee Plantation since inheriting it from
26 his parents in 2001. Mr. Ferrey-Gomez is directly involved in the operations of the business and
27 regularly travels to Nicaragua to conduct his business. His personal presence is necessary in order to
28 supervise the harvest of the coffee beans, negotiate and coordinate the sale of the harvested beans,

purchase supplies and materials for ongoing operations and manage personnel issues.

2 While in Nicaragua, Mr. Ferrey-Gomez's business problems have multiplied. In addition to
3 the above mentioned difficulties, Mr. Ferrey-Gomez was served with a lawsuit from a Nicaraguan court
4 related to his coffee business. A copy of the lawsuit is attached as Exhibit A to the Declaration of
5 Garrick Lew. This unfortunate circumstance has increased the time Mr. Ferrey-Gomez requires to attend
6 to his business matters in Nicaragua. The parties have agreed to continue a pending case status hearing
7 until May 3, 2006, and thus there are no pending court dates that require Mr. Ferrey-Gomez's presence.

8 Counsel has spoken with AUSA Glang who has expressed no opposition to this extension of Mr.
9 Ferrey-Gomez's stay. Mr. Ferrey-Gomez has already posted an additional \$100,000 bond prior to his
10 departure. Mr. Ferrey-Gomez owns property in San Francisco and has close family and personal ties
11 to the area. Mr. Ferrey-Gomez poses no flight risk. For the above reasons, defendant respectfully
12 requests the Court modify its previous order and allow Mr. Ferrey-Gomez to remain in Nicaragua until
13 April 24, 2006.

14 | DATED: March 27, 2006

Respectfully submitted,

LAW OFFICE OF GARRICK S. LEW

/s/
GARRICK S. LEW
Attorney for Defendant SERGIO ENRIQUE FERREY-GOMEZ

ORDER

21 Based on the above, good cause appearing, IT IS HEREBY ORDERED that defendant
22 SERGIO ENRIQUE FERREY-GOMEZ be permitted to travel to and remain in the Republic of
23 Nicaragua through no later than April 24, 2006.

DATED: 3/29, 2006

Honorable Richard Seeborg
Magistrate Judge, U.S. District Court